



1634  
JLW

# **CERTIFICATE OF MAILING**

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

on February 24, 2005.

J. Pomonis  
Jennifer Pomonis

In Re Application of:

**YAKHINI, Zohar**

Serial No.: **09/938,937**

Filed: **August 24, 2001**

For: **Use of Unstructured Nucleic Acids in Assaying Nucleic Acid Molecules**

Confirmation No.: **2672**

Group Art Unit: **1634**

Examiner: **SISSON, Bradley L.**

Docket No. **10003516-1**  
(TKHR No.: 050113-1100)

The following is a list of documents enclosed:

Return Postcard  
Response (with Amendments)  
Amendment Transmittal Page  
Certificate of Mailing

Further, the Commissioner is authorized to charge Deposit Account No. 50-1078 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 50-1078.

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Boulder, Colorado 80537-0599

ATTORNEY DOCKET NO. 10003516-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): YAKHINI, Zohar D.

Serial No.: 09/938,937

Examiner: SISSON, Bradley L.

Filing Date: August 24, 2001

Group Art Unit: 1634

Title: Use Of Unstructured Nucleic Acids In Assaying Nucleic Acid Molecules

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☐ New fee as calculated below ☐ Supplemental Declaration  
☒ No additional fee (Address envelope to "Mail Stop Amendments")  
☐ Other: (Fee \$ \_\_\_\_\_)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	16	MINUS	16	= 0	X 50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 360	\$ 0
EXTENSION FEE	1 <sup>ST</sup> MONTH 120.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 450.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 1020.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1590.00 <input type="checkbox"/>	OTHER FEES	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

YAKHINI, Zohar D.

By

Cynthia J. Lee, Esq.  
Attorney/Agent for Applicant(s)

I hereby certify that this correspondence is being Deposited with the United States Postal Service as First class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: February 24, 2005

Typed Name: Jennifer Pomonis

Signature: J. Pomonis

Reg. No. 46,033

Date: February 24, 2005

Telephone No. 770-933-9500



Serial No.: 09/938,937

Art Unit: 1634

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For: **Use of Unstructured Nucleic Acids in Assaying Nucleic Acid Molecules**

**RESPONSE (WITH AMENDMENTS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The outstanding non-final Office Action mailed **November 23, 2004** (Paper No.) has been carefully considered. In response thereto, please enter the following amendments in which claims 10, 13, and 14 are amended; claims 15 and 16 are canceled; and claims 17-18 are added. Claims 10-14 and 17-18 are now pending in the present application.

Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

**AUTHORIZATION TO DEBIT ACCOUNT**

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 50-1078.